

**CORDELL BANK NATIONAL MARINE SANCTUARY
ADVISORY COUNCIL
CHARTER**

AMENDMENT 1

The following revisions are made to the charter as signed on December 1, 2014, which is hereby amended on the date of amendment indicated below.

The noted parts of the “Members, Alternates, and Officers” section are revised to read as follows:

1. The council shall consist of no more than 14 voting members, who shall be appointed by the director from among persons employed by state or local agencies with expertise in management of natural resources, representatives of local user groups, conservation and other public interest organizations, scientific and educational organizations, and members of the public interested in the protection and multiple use management of sanctuary resources. The membership is designed to be balanced in terms of points of view represented, geographic diversity, and advisory functions the council will perform. Voting seats shall not have alternates.
3. There are two categories of seats for which non-voting members are appointed or selected:
 - (a) To ensure relevant information exchange among national marine sanctuaries, the superintendents of Channel Islands, Greater Farallones, and Monterey Bay national marine sanctuaries shall sit on the council as non-voting members.
4. The following procedures shall govern the application, nomination, and appointment of council voting (i.e., non-governmental) members.
 - (a) Two representatives of each of the following activities, which are integrally affected by the management goals of the sanctuary, shall be selected:

Community-at-Large— Marin County
Community-at-Large—Sonoma County
Conservation
Education
Fishing
Maritime Activities
Research
 - (b) Non-governmental members are normally appointed for a term of three years, and may compete for reappointment. If necessary, terms of appointment may be changed to provide for staggered expiration dates or member resignation mid-term. Subject to the provisions of the ONMS policy on the limit on consecutive terms for non-governmental

council members, non-governmental council members will not be selected to serve more than three consecutive terms representing the same seat unless a waiver (as provided for in the policy) is granted by the director. Should a non-governmental seat become vacant, the vacated position could be advertised and a replacement appointed as specified below. A newly appointed member shall serve the term beginning on the date specified in the appointment letter from the sanctuary superintendent.

(c) Members serve at the discretion of the director. The sanctuary superintendent may recommend to the director the removal of a non-governmental member of the council on any of the following grounds if that member:

- Is convicted of any felony offense;
- Is found to have violated any of the following laws or regulations promulgated thereunder: the NMSA, Marine Mammal Protection Act, Migratory Bird Treaty Act, Endangered Species Act, Magnuson-Stevens Fishery Conservation and Management Act, or another environmental law for which NOAA or another federal agency has jurisdictional responsibility;
- Is found to have violated state environmental laws or regulations;
- Is found to have violated national or state laws or regulations protecting cultural or historic resources;
- Is determined to have abused his or her position as a member of the council (including but not limited to use of council information for personal gain; use of council position to advance a personal agenda or harm another member of the council or of the community; misrepresentation of, or spreading misinformation about the council or the sanctuary; and refusal to recuse himself or herself if so requested by the sanctuary superintendent and/or chair in a matter in which the member has a conflict of interest);
- Has a change to the professional affiliation(s) and/or personal circumstances that comprise a significant portion of that person's qualifications for being a member of the council;
- Misses three consecutive meetings without reasonable justification;
- Disrupts on more than one occasion council meetings in a manner that interferes with the council conducting its business; or
- Violates any term of this charter.

The sanctuary superintendent may consult with the council prior to taking such an action.

(d) As each non-governmental seat becomes vacant and the process for selection of new member(s) (described under Appointments) is conducted, the sanctuary superintendent

shall recommend to the director the member from among the top three candidates for each position resulting from the review process.

The noted part of the "Operation" section is revised to read as follows:

6. Subcommittees and Working Groups

- (b) Working Groups: The chair, in consultation with the council as a whole and with the concurrence of the sanctuary superintendent, may establish working groups for specific purposes or topics that need focused attention that cannot be accomplished by a subcommittee. Their work will be limited to functional areas and discrete issues relating to individual sanctuaries. Working groups may be composed of members and alternates of the council and persons outside the council. Working groups shall be chaired by a primary member of the council and shall function under the purview of the council. At the sanctuary superintendent's discretion and if the full council approves, an alternate may chair a working group; that alternate shall function under the purview of the council. Working groups established by the council to address specific issues shall disband once the final advice on the particular matter is submitted to the council.

All other terms of the charter remain in full force and effect.



John Armor

Director, Office of National Marine Sanctuaries

12/21/2016
Date